

**DEPARTMENT OF COMMERCE**  
**SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

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| Clearinghouse Rule Number: 06-040  |  | Hearing Location: Madison   |   |
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| Rule Number: Comm 62.0903 (6)  |  | Hearing Date: May 15, 2006  |   |
| Relating to: Automatic Fire Suppression Systems for Student Housing Facilities Serving Colleges and Universities |  |   |   |
| Comments:<br>Oral or<br>Exhibit No.  | Presenter,<br>Group Represented,<br>City and State   | Comments/Recommendations  | Agency Response   |
| Oral<br>Exhibit No.<br>1   | Paul M. Nelson<br>Wisconsin Association of<br>Independent Colleges<br>and Universities,<br>Madison | <p>The association supported the original legislation.</p> <p>Does not believe it was the intent of the legislation to require sprinkler retrofitting of a facility where a fraternity, sorority, or other similar organization occupies a portion of existing residential housing facility operated by the college or university and suggests that some type of clarification be provided by the Department.</p> <p>Indicates that some members of the association had received estimates of \$8.00 and \$24.00 per square foot for the sprinkler retrofitting believing that all potential total costs be accurately reflected.</p> | <p>As described this type of situation would not constitute a case where the facility is <u>operated by a fraternity or sorority</u> and therefore, the law and rules would not require the retrofitting for sprinklers.</p> <p>The estimates seem very high and it is unclear whether these reflect an estimate or actual project bids.</p>                  |
| Exhibit No.<br>2   | Wisconsin Fire Protection<br>Coalition, Madison  | <p>Expresses support for the rules promulgated under 2005 Wisconsin Act 78.</p> <p>Provided informational and historical data concerning fire incidents in student housing.</p>   | No response necessary.  |
| Exhibit No.<br>3   | Kay Luedke, Treasurer<br>Wisconsin Alliance for<br>Fire Safety                                     | <p>Expresses support for the enabling legislation and the proposed rules.</p> <p>Provided historical information concerning a fire incident in student housing.</p>   | No response necessary.  |
| Exhibit No.<br>4   | Layne Sessions<br>Ripon College, Ripon   | Asks for clarification of wording “operated by” to any student residence facility in which a sorority or fraternity live.   | See response to Nelson.   |
| Exhibit No.<br>5   | Mary Czech-Mrochinski,<br>Director of State Relations<br>Marquette University,<br>Milwaukee        | <p>Asks for clarification, if necessary by administrative rule, verifying that it was not the legislature’s intent for sprinkler retrofitting to apply to existing residential apartment facilities over 60 feet in height owned or operated by a college or university. Indicated that there is no food service available at these apartment facilities and only “resident managers” on hand.</p> <p>Asks what role, responsibility or liability does the university have regarding compliance for a fraternity or sorority with regards to sprinkler protection for the facilities these organizations occupy.</p>                  | <p>The type of apartment housing facility without food service or a resident advisor would not constitute being a residence hall or dormitory, and therefore, would not have to be retrofitted with sprinklers.</p> <p>Compliance to the rules is a responsibility of the building owner which in this case is matter a between the owner and the tenant.</p> |